

its agent or attorney, setting forth in detail the amount of promotional, legal and/or technical fee or other compensation paid, or agreed to be paid, by such applicant to any promoting agent, attorney, engineer, architect or other person for the making or giving of any legal, technical, or other opinion, map or maps, plat, plan or specifications, in connection with the making of the application for or with the completion of, said project. Any advisory report or recommendation given by said Board shall set forth the amount of the foregoing fee or compensation and shall contain a recommendation by said Board as to whether the same is just, fair, and reasonable compensation for such promotional, legal, or other technical services, when paid or to be paid out of any public fund.

Sec. 8. There is hereby appropriated out of the general fund of the State of Texas, not otherwise appropriated, the sum of Twelve Thousand Dollars (\$12,000.00), or so much thereof as shall be necessary to be expended for the fiscal year ending August 31, 1935, to be used in defraying the necessary expenses of The Texas Planning Board in carrying out the provisions of this Act. No employee of said Board shall be paid a salary or other compensation for services under authority of said Board in excess of the salary or compensation paid to employees of other departments of the State Government, rendering the same or similar services. No expense of a member or employee shall be chargeable to or paid by said Board unless same shall have been approved by formal action of the Board.

Sec. 9. If any clause, provision, section or part of this Act shall be adjudged by any court of competent jurisdiction to be invalid such judgment shall not invalidate any other term or provision hereof and the Legislature hereby declares its intention to enact each and every clause, requirement, provision and part hereof independently of any such part so invalidated.

Sec. 10. The absence of any adequate law providing for a Texas Planning Board to prepare a comprehensive plan and program for the development and conservation of the natural or other resources and

for the betterment of the social and economic conditions of its citizens, creates an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is, hereby suspended, and this Act shall take effect from and after the date of its passage, and it is so enacted.

Bill and Resolution Referred.

H. B. No. 257 was referred to the Committee on Agriculture

H. C. R. No. 36, was referred to the Committee on State Institutions and Departments.

Adjournment.

On motion of Senator Small the Senate at 4:20 o'clock p. m., adjourned until 10 o'clock a. m., Wednesday.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin Texas, March 12, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 3 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

THIRTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
March 13, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Moore.
Blackert.	Neal.
Collie.	Oneal.
Cotten.	Pace.
Davis.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Martin.	Sulak.

Van Zandt. Woodruff.
Westerfeld.

Absent—Excused.

Burns. Hughston.
Fellbaum. Small.
Holbrook. Stone.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Van Zandt.

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Senators Excused.

Senator Holbrook was excused on account of important business, on motion of Senator Shivers.

Senator Small was excused on account of important business on motion of Senator Rawlings.

Senator Burns was excused on account of sickness on motion of Senator Shivers.

Senator Stone was excused to attend a funeral on motion of Senator Sanderford.

Senator Hughston was excused on account of important business on motion of Senator Hill.

Bills and Resolutions.

Senate Resolution No. 57.

Senator Oneal sent up the following resolution:

Be it resolved by the Senate of Texas:

First. That there is hereby established a standing committee of this Senate, to be known as the Committee on Interstate Cooperation, to be composed of five members.

Second. That the members of the present session shall be forthwith appointed by the President of the Senate. This Committee shall devote its attention primarily to the improvement of relationships of the Government of this State with the Governments of the forty-seven other states, and more especially with the governments of neighboring states. This Committee shall also give attention to the more effective coopera-

tion of the Government of this State, with the Federal Government.

Third. That this Committee shall also constitute the Council of the American Legislators' Association for this Senate.

Fourth. That the passage of this resolution shall constitute an amendment of the rules of this Senate.

ONEAL.

Read and referred to the Committee on Rules.

H. C. R. No. 32-A.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Ash:

H. C. R. No. 32-A, Granting permission to Walter N. Moncure to sue the State of Texas, etc.

Senator Hornsby moved the adoption of H. C. R. No. 32-A.

The motion prevailed by viva voce vote.

H. C. R. No. 33.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Broyles:

H. C. R. No. 33, Giving the Highway Department permission to lend equipment to Van Zandt County for repair of court house square in Canton, Texas.

Senator Pace explained the resolution.

H. C. R. No. 33 was adopted by viva voce vote.

H. C. R. No. 9.

Senator Oneal called from the table H. C. R. No. 9.

The Chair laid before the Senate:

By Mr. Lanning:

H. C. R. No. 9, Granting Joe B. Friedel permission to operate a cigar stand in the Capitol Building.

Point of Order.

Senator Van Zandt raised the point of order that the resolution seeks to amend the Statute that prohibits the Board of Control from doing the very thing that the resolution seeks to do.

The Chair, Lieutenant Governor Walter F. Woodul, overruled the point of order.

The committee amendment was discussed.

Motion to Table.

Senator Hornsby moved to table the committee amendment.

The motion to table prevailed by the following vote:

Yeas—12.

Beck.	Neal.
Blackert.	Oneal.
Collie.	Poage.
Davis.	Redditt.
Duggan.	Sulak.
Hornsby.	Van Zandt.

Nays—10.

Hill.	Regan.
Martin.	Sanderford.
Moore.	Shivers.
Pace.	Westerfeld.
Rawlings.	Woodruff.

Present—Not Voting.

DeBerry.

Absent—Excused.

Burns.	Hopkins.
Cotten.	Hughston.
Fellbaum.	Small.
Holbrook.	Stone.

The amendment by Senator Van Zandt was read.

Motion to Table.

Senator Oneal moved to table the amendment by Senator Van Zandt.

The motion to table was lost by the following vote:

Yeas—6.

Blackert.	Poage.
Martin.	Regan.
Oneal.	Sulak.

Nays—16.

Beck.	Pace.
Collie.	Rawlings.
Davis.	Redditt.
Duggan.	Sanderford.
Hill.	Shivers.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Present—Not Voting.

DeBerry.

Absent.

Cotten.	Hopkins.
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Absent—Excused.

Burns.	Hughston.
Fellbaum.	Small.
Holbrook.	Stone.

The Van Zandt amendment was adopted by viva voce vote.

Motion to Reconsider.

Senator Redditt moved to reconsider the vote by which the committee amendment failed of adoption.

Motion to Table.

Senator Hornsby moved to table the motion to reconsider.

Points of Order.

Senator Collie raised the point of order that the time for consideration of concurrent resolutions had expired.

Overruled.

Senator DeBerry raised the point of order that the motion to reconsider the motion to table is out of order because the motion to table is final action.

Sustained.

Motion to Lay on Table.

Senator Beck moved to lay H. C. R. No. 9. on the table subject to call.

The motion lost by the following vote:

Yeas—11.

Beck.	Oneal.
Blackert.	Poage.
Cotten.	Redditt.
Martin.	Sanderford.
Moore.	Shivers.
Neal.	

Nays—13.

Collie.	Rawlings.
Davis.	Regan.
DeBerry.	Sulak.
Duggan.	Van Zandt.
Hill.	Westerfeld.
Hornsby.	Woodruff.
Pace.	

Absent—Excused.

Burns.	Holbrook.
Fellbaum.	Hopkins.

Hughston.
Small.

Stone.

Point of Order.

Senator Beck raised the point of order that the time for consideration of this resolution had expired.

Sustained.

Motion to Extend Time.

Senator Rawlings moved that the time for the discussion of H. C. R. No. 9 be extended.

The motion lost by the following vote:

Yeas—15.

Blackert.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Martin.	Shivers.
Moore.	Sulak.
Neal.	Van Zandt.
Pace.	Westerfeld.
Rawlings.	

Nays—8.

Beck.	Hornsby.
Collie.	Oneal.
DeBerry.	Poage.
Duggan.	Woodruff.

Absent.

Hill.

Absent—Excused.

Burns.	Hughston.
Fellbaum.	Small.
Holbrook.	Stone.
Hopkins.	

Motion to Rerefer.

Senator Pace moved to rerefer H. C. R. No. 9 with amendments to the committee for further consideration.

Points of Order.

Senator Rawlings raised the point of order, that the motion to recommit is in order at any time.

The Chair overruled the point of order.

Senator Moore raised the point of order that any Senator could call for a second reading at any time.

Overruled as the time for consideration had expired.

The question recurred on the adoption of H. C. R. No. 9.

The resolution failed of adoption by the following vote:

Yeas—8.

Blackert.	Oneal.
Hill.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—15.

Beck.	Poage.
Collie.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hornsby.	Shivers.
Martin.	Sulak.
Pace.	

Present—Not Voting.

Cotten.

Absent—Excused.

Burns.	Hughston.
Fellbaum.	Small.
Holbrook.	Stone.
Hopkins.	

Motion to Reconsider.

Senator Rawlings moved to reconsider the vote by which H. C. R. No. 9 failed of adoption, and spread on the Journal.

Motion to Table.

Senator Hornsby moved to table the motion to reconsider.

The motion to table lost by the following vote:

Yeas—7.

Beck.	DeBerry.
Blackert.	Duggan.
Collie.	Hornsby.
Davis.	

Nays—17.

Cotten.	Redditt.
Hill.	Regan.
Martin.	Sanderford.
Moore.	Shivers.
Neal.	Sulak.
Oneal.	Van Zandt.
Pace.	Westerfeld.
Poage.	Woodruff.
Rawlings.	

Absent—Excused.

Burns.	Hughston.
Fellbaum.	Small.
Holbrook.	Stone.
Hopkins.	

Senate Bill No. 450.

Senator Regan received unanimous consent to introduce the following bill:

By Senator Regan:

S. B. No. 450, A bill to be entitled "An Act to amend Subdivision 70, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts 1927, Fortieth Legislature, Regular Session, page 134, Chapter 87, Section 1, amended by Acts 1929, Forty-first Legislature, Regular Session, Page 50, Chapter 19, Section 1, Amended by Acts 1933, Forty-third Legislature, Regular Session, page 372, Chapter 145, Section 2, so as to change the time and terms of holding the terms of District Court in Midland, Ector, Martin, Glasscock and Howard Counties, constituting the Seventieth Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of Court in said counties and district, as herein fixed; to validate the summoning of grand and petit juries under the present law so as to render them available in said counties under this Act; repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to the Committee on Judicial Districts.

House Bill No. 9.

Senator Redditt received unanimous consent to take up out of regular order.

By Mr. Russell:

H. B. No. 9, A bill to be entitled "An Act making an appropriation of the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, out of the general revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Forty-fourth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 9 was put on its second reading by the following vote:

Yeas—24.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Burns.	Hughston.
Fellbaum.	Small.
Holbrook.	Stone.
Hopkins.	

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Senator Redditt sent up the following amendment:

Amend H. B. No. 9 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, the sum of Two Hundred Fifty Thousand Dollars (\$250,000), or so much thereof as may be necessary, to pay the contingent expenses and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Forty-fourth Legislature.

"Sec. 2. The certificate of the Secretary of the Senate, approved by the President of the Senate, or the certificate of the Chief Clerk of the House of Representatives, approved by the Speaker thereof, shall be sufficient evidence to the Comptroller upon which to audit the claims for mileage and per diem of members and the salaries and per diem of officers and employees of the Regular Session of the Forty-fourth Legislature, and he shall issue the neces-

sary warrants for same upon the Treasury of the State of Texas.

"Sec. 3. The certificate of the chairman of the committee on contingent expenses of the Senate, approved by the President of the Senate, or the certificate of the chairman of the committee on contingent expenses of the House of Representatives, approved by the Speaker of the House, as the case may be, shall be sufficient authority to the Comptroller to issue warrants upon the Treasury of the State of Texas for the payment of accounts for contingent expenses for either House.

"Sec. 4. A record of all moneys appropriated in this bill shall be made available for public inspection the same as any other public records in this State. The Senate and House shall each publish an itemized account of expenditures in its own Journal and state the amount spent by each member in each House, as it has been done in House Journal.

"Sec. 5. The fact that the Regular Session of the Forty-fourth Legislature of the State of Texas is now in session, and public policy requires that the appropriations made by this Act shall be made immediately available, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

REDDITT.

Read and adopted by viva voce vote.

Senator Redditt sent up the following amendment:

Amend House Bill No. 9 by striking out all before the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled an Act making an appropriation of the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) or so much thereof as may be necessary out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the 44th Legislature, and declaring an emergency."

REDDITT.

Read and adopted.

The bill was read second time, as amended, and passed to third reading by viva voce vote.

On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 9 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Burns.	Hughston.
Fellbaum.	Small.
Holbrook.	Stone.
Hopkins.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Burns.	Hughston.
Fellbaum.	Small.
Holbrook.	Stone.
Hopkins.	

H. C. R. No. 32.

Senator Regan called from the table H. C. R. No. 32.

By Mr. Reed:

H. C. R. No. 32, A concurrent resolution memorializing Congress to pass an act relative to fair competition between rail and steamship lines

in the transportation of transcontinental traffic, etc.

Senator Moore sent up the following amendment:

Amend H. C. R. No. 32 by adding at the end of the resolution:

"Provided such shall not injure or take tonnage from the ports of Texas.

MOORE.

Read and adopted.

Motion to Lay on Table.

Senator Shivers moved to lay on the table subject to call H. C. R. No. 32.

The motion prevailed by viva voce vote.

Motion for Executive Session.

Senator Oneal asked unanimous consent that the Senate go into executive session at 12:05 o'clock p. m. today.

Unanimous consent was granted.

Executive Session.

The Senate went into executive session at 12:05 o'clock p. m.

After Executive Session.

The Secretary of the Senate informed the Journal Clerk that the following action had been taken in executive session:

Committee Room,

Austin, Texas, March 13, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following appointments, have had same under consideration, and I, as chairman of said committee, am instructed to report same back to the Senate with the recommendation that they be in all things confirmed:

To be Members of the Board of Directors of Texas Technological College:

J. M. West, of Houston, Harris County, to succeed John A. Hulen.

Tomas G. Pollard, of Tyler, Smith County, to succeed John W. Carpenter.

To be Members of State Board of Health:

Dr. George W. Cox, of Del Rio, Val Verde County.

Dr. W. P. Harrison, of Teague, Freestone County.

Dr. Hubera S. Jackson, of San Antonio, Bexar County.

To be Member of the Texas Historical Board:

Ed Kilman, of Houston, Harris County.

To be Compact Commissioner for Rio Grande Compact:

(For unexpired term of Richard F. Burgess.)

Frank B. Clayton, of El Paso, El Paso County.

Oneal, Chairman.

Adopted.

Senate Resolution No. 45.

Senator Hornsby was given unanimous consent to send up and have printed in the Journal the following:

Committee Room,

Austin, Texas.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred S. R. No. 45,

Have had the same under consideration, and beg leave to submit the following resolution and recommend that it be adopted and be not printed.

DeBERRY, Chairman.

Senate Resolution No. 45.

Be it resolved by the Senate of Texas that Senate Rule Number Eighty-three (83) be amended so as to read hereafter as follows:

"Rule 83. When a nomination is considered in executive session, all information and remarks touching the character or qualifications of the nominee shall be kept secret. Provided, however, that after each executive session all roll calls taken in such executive session shall be printed in the Senate Journal."

DeBERRY,

POAGE,

HORNSBY.

The following is submitted as a substitute for the report of the Rules Committee on Senate Rule No. 83:

When a nomination is considered in Executive Session, all information and remarks touching the character or qualifications of the nominee shall be kept secret. But all roll calls

shall be correctly kept and are hereby expressly made available for public information.

HORNSBY.

Message from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, March 13, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. C. R. No. 35 by a viva voce vote.

The House has passed the following bills:

H. B. No. 9, A bill to be entitled "An Act making an appropriation of the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, out of the general revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Forty-fourth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

H. B. No. 230, A bill to be entitled "An Act appropriating the sum of eighteen hundred dollars, or so much thereof as may be necessary, out of any monies in the General Revenue Fund of this State, not otherwise appropriated, for the purpose of hiring two additional stenographers for the Governor's office, together with necessary materials, etc., such appropriation to last throughout the current biennium, ending August 31, 1935, and declaring an emergency."

H. B. No. 382, A bill to be entitled "An Act making an appropriation from the State Treasury for the preparation, checking, investigation, and correction of the scholastic census to the State Department of Education; providing money for salaries, wages, rent, equipment, supplies, and necessary traveling expenses incident thereto for the sum of eighty-five hundred dollars (\$8,500), for the year ending September 1, 1935, and declaring an emergency."

H. B. No. 424, A bill to be entitled "An Act to amend Chapter 98 of the

General Laws of the State of Texas as passed by the Regular Session of the Forty-first Legislature, by adding thereto Section 1a, so as to provide for the purchase of a part of the law books for the Courts of Civil Appeals out of the court fees collected by said courts, and declaring an emergency."

H. B. No. 425, A bill to be entitled "An Act making an appropriation for the support, maintenance, and extra help for the State laboratories of the State Health Department; no salary paid out of this appropriation to exceed fifty dollars (\$50) per month, and declaring an emergency."

H. B. No. 497, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas, for the State Commission for the Blind's Department for the balance of the fiscal year ending August 31, 1935, and declaring an emergency."

H. B. No. 519, A bill to be entitled "An Act making an appropriation of six thousand five hundred dollars (\$6,500) to be used by the Secretary of State in paying the unpaid portion of the publication cost of certain constitutional amendments; one thousand five hundred dollars (\$1,500) for postage and contingent to be used by the Secretary of State; five thousand dollars (\$5,000) for the Secretary of State's office to be used for compiling, editing, printing, indexing, and distributing the General and Special Laws and for the distribution of the Journals of the Forty-fourth Legislature, and declaring an emergency."

H. B. No. 547, A bill to be entitled "An Act making an emergency appropriation of ten thousand dollars (\$10,000) for Sul Ross State Teachers College for the purpose of erecting cottages on the campus of the said college, and declaring an emergency."

H. B. No. 576, A bill to be entitled "An Act providing relief for the Reynard Common School District No. 55, and for the Mount Zion Common School District No. 42, of Houston County, Texas, in order to aid said school districts in rebuilding their schools which were destroyed by cyclone which struck the communities of Reynard and Mount Zion on the 7th day of February, 1935; providing for work relief; making an appropriation to said districts for said

properties, and declaring an emergency."

H. B. No. 722, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which, according to the latest Federal census, had a population of not fewer than 7,550 and not more than 7,580, whether organized under General or Special Law, repealing all laws in conflict herewith, both General and Special, and declaring an emergency."

H. B. No. 779, A bill to be entitled "An Act making available currently the funds now on hand and hereafter accruing to the benefit of the State Department of Agriculture under the terms of the Act of the Regular Session, Forty-third Legislature, Chapter 162, page 433, as amended by the Acts of the Forty-third Legislature, First Called Session, Chapter 10, page 32, providing for the drawing of warrants by the Comptroller and the payment of same by the State Treasurer in accordance with the provisions hereof and with the General Laws, etc., and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills Referred.

H. B. No. 519, referred to the Committee on Finance.

H. B. No. 547, referred to the Committee on Finance.

H. B. No. 9, referred to the Committee on Finance.

H. B. No. 722, referred to the Committee on Educational Affairs.

H. B. No. 230, referred to the Committee on Finance.

H. B. No. 576, referred to the Committee on Finance.

H. B. No. 779, referred to the Committee on Finance.

H. B. No. 382, referred to the Committee on Finance.

H. B. No. 424, referred to the Committee on Finance.

H. B. No. 425, referred to the Committee on Finance.

H. B. No. 497, referred to the Committee on Finance.

Resolution Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after its caption

had been read, the following resolution:

H. C. R. No. 35.

Motion to Adjourn.

Senator Pace at 12:10 o'clock p. m. moved that the Senate stand adjourned until 10:00 o'clock a. m. Thursday.

Substitute Motion.

Senator Collie moved as a substitute that the Senate recess until 2:00 o'clock p. m. today.

Adjournment.

The motion to adjourn prevailed by viva voce vote.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, March 12, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 170 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 12, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 302, A bill to be entitled "An Act defining abstractors and the abstract business, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, March 12, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 38, A bill to be entitled "An Act fixing the number and length of terms of all District Courts in Texas having civil or civil and criminal jurisdiction, save and except those courts now or hereafter governed by Article 2092, Revised Civil Statutes, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 12, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 209, A bill to be entitled "An Act amending Article 308 of the Revised Statutes by adding thereto provision that attorneys from other jurisdictions shall be required to pass the examination given to other applicants, etc., and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 12, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 331, A bill to be entitled "An Act amending Chapter 6 of Title 11, Penal Code of Texas, 1925, by adding thereto Articles 649a, 649b, and 649c, so as to increase the State's penalties and remedies against telegraph and telephone companies, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments.

SMALL, Chairman.

Committee Amendment No. 1.

Amend S. B. 331 by inserting in Article 649a of the Bill after the words "or otherwise, to" the word "knowingly"; and also insert after the words "receive and" and before the word "transmit" the word "knowingly"; and also insert after the words "wagering or to" the word "knowingly."

Committee Amendment No. 2.

Amend S. B. 331 by inserting after the words "State shall" in Article 649b of the Bill the word "knowingly."

Committee Amendment No. 3.

Amend S. B. 331 by inserting after the words "or any property" in Article 649c the words "knowingly furnished or."

Committee Amendment No. 4.

Amend S. B. No. 331 by adding at the end of Article 649a the following:

"No person or corporation engaged in the public utility business of furnishing telephone or telegraph service to the public shall be liable to anyone where it in good faith refuses to furnish telegraph or telephone equipment or service believing it to be used in violation of this Act, or where it refuses to furnish or to continue to furnish such telegraph and telephone equipment or service after written notice from the district or county attorney of any county in the State, or chief of police of any city in the State, that equipment or service is being furnished or is about to be furnished to a particular person, corporation or place in violation of the provisions of this Act."

Committee Room,

Austin, Texas, March 12, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred S. C. R. No. 22,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DeBERRY, Chairman.

Committee Room,

Austin, Texas, March 13, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Institutions and Departments, to whom was referred

H. C. R. No. 36,

"Resolved by the House of Representatives of the State of Texas and the Senate concurring, That there be a committee of nine appointed from said House and Senate; six being from the House and appointed by the Speaker of the House of Representatives, and three being from the Senate and appointed by the President of the Senate, to visit and inspect the said properties and confer with the present owners or the persons in charge of the same, and that the

said committee be instructed to report back to each of their respective houses as to the advisability of purchasing the said property for the State to be used as a house for dependent and neglected children."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HORNSBY, Chairman.

Committee Room,
Austin, Texas, March 13, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 9, A bill to be entitled "An act making an appropriation to pay contingent expenses and mileage and per diem of members and per diem of officers and employees of the Regular Session of the Forty-fourth Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Minutes of Committee Meetings.

Regular Meeting of the Committee on Agricultural Affairs, Held
March 12, 1935.

'Present: DeBerry, Duggan, Hill, Small, Van Zandt, Beck, Sulak.

Absent: Poage, Stone, Neal.

Absent—Excused: Hughston.

S. C. R. No. 22 was reported with recommendation that it pass and be printed.

Open hearing set on H. B. No. 257 for Friday at 7:30 p. m.

DICK DeBERRY, Secretary.

Minutes of Committee on Civil Jurisprudence, Held March 12, 1935,
Regular Meeting.

Present: Small, Collie, Davis, Hill, Hornsby, Moore, Oneal, Rawlings, Redditt, Van Zandt, Westerfeld.

Absent—Excused: Blackert, Fellbaum, Hopkins, Shivers.

S. B. 331, as amended, was reported favorably by viva voce vote.

S. B. 209 was reported favorably by viva voce vote.

S. B. 38 was reported favorably by viva voce vote.

S. B. 302 was reported unfavorably by a vote of 6 yeas, 1 nay.

S. B. 121 was deferred to future meeting.

S. B. 176 was indefinitely postponed.

S. B. 410 was referred to sub-committee.

S. B. 446 and S. B. 436 were set for public hearing at 4:00 p. m. Tuesday, March 19, 1935.

HERMAN B. HILL, JR.,
Secretary.

FORTIETH DAY.

Senate Chamber,
Austin, Texas,
March 14, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Blackert.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Burns. Hughston.
Fellbaum.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Hill.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Bills and Resolutions.

Senate Bill No. 451.

Senator Hopkins sent up the following local bill:

By Senator Hopkins:

S. B. No. 451, A bill to be entitled "An Act amending the 'Bond and